

JOB SAFETY CONSULTANT

Back issues available to paid subscribers — \$3.00 each. Check must accompany order.

BUSINESS RESEARCH PUBLICATIONS, INC.

87 Terminal Drive • Plainview, N. Y. 11803 (516-349-1010)

INDEX

1982

REFERENCES INDICATE MONTH OF ISSUE AND QUESTION NUMBER

ABATEMENT

- What If The Supervisor Of One Of Our Branches
Never Told Us That He Was Inspected And Cited 5-2318
- Does It Pay For Us To Act Promptly To
Correct Safety Violations 6-2342
- Must We Immediately Discontinue An Operation That
The Inspector Claimed Was A Safety Violation 7-2362

APPEALS

- If We File An Appeal And Lose Can The Penalty
Be Increased 3-2295
- Can We Collect Attorney's Fees If We're Successful In
Appealing Citations 3-2302
- Are Employers Still Appealing Many Cases To
The Review Commission And Courts 5-2319
- Should We Ask For An Informal Conference With OSHA
To Try To Work Out A Settlement 5-2322
- If We Appeal A Citation, Are We Entitled To See
The Inspector's Notes 8-2372
- If I Appeal An OSHA Citation, Do I Have To Appear
Personally At The Hearing 10-2401
- Are We Entitled To Additional Time Because The
Citation Was Routed To The Wrong Department 10-2404
- Does The Time To File An Appeal Start Running When
The Citation Is Received By Our Mail Room 11-2414
- Can I Get An Extension If The Citation Arrived While
I Was Away On Vacation 12-2440

CITATIONS & VIOLATIONS

- Can Someone Injured While Touring Our Plant Sue Us
Claiming His Injuries Were Due To OSHA Violations 3-2290
- Can I, As The Employer, Be Charged With A Violation If
I Was Willing To Expose Myself To The Hazard 6-2346
- Can We Be Cited For A Guarding Violation, Even Though
Our Competitors With The Same Setup Received
A Clean Bill Of Health 6-2348
- Can We Be Cited For A Violation Even Though
Corrective Action We Took Passed Muster On A
Follow-Up Inspection 7-2365
- Is It Necessary For OSHA To Prove That We Knew
We Were Violating The Job Safety Act 9-2394
- Are Conditions Creating A Possible Risk Of Harm
To Employees A Violation 12-2428

COMPLAINTS

- How Promptly Should We Respond To Employee
Complaints About Hazardous Conditions 4-2314
- Can We Be Cited Even Though The Same Condition
Existed At A Prior Inspection—And Nothing Was Said 5-2323
- Can Employers Discriminate Against Workers For
Making Safety Complaints To Their Supervisors 6-2335
- Do Workers Have The Right To Be Abusive In Making
Complaints About Workplace Hazards 6-2336

CONSTRUCTION—Contractors & Subcontractors

- Must We Post A "Flagman Ahead" Sign As Well As
A Flagman With A "Stop" Sign When
Doing Road Repair Work 2-2287
- Should A Subcontractor On A Multi-Employer Worksite
Be Cited For Violations Over Which He Has No Control 3-2291
- Can We Get Into Trouble Because Employees Put Up
A Plank 14 Feet Above The Ground To Use As A Bridge 7-2363
- Is There Any Correlation Between The High Cost Of
Construction And The Industry's Poor Safety Record 8-2366

CRANES—HEAVY EQUIPMENT

- Is It Permissible To Allow Employees To Hitch Rides
To A Work Area On Heavy Equipment 2-2276
- Must Special Precautions Be Taken When Using
A Crane With A Nonretractable Boom 2-2277
- Is It Enough If Our Operators Check Their Overhead
Cranes' Brake System Daily By Depressing
The Brake Pedals 2-2278
- Can Operators Refuse To Wear Seat Belts When Operating
Earth-Moving Equipment Equipped With ROPS 2-2285
- Can An Employee Be Used As A Signaller When Our
Dump Trucks Are Operated In Reverse 2-2286
- Is It Sufficient That Our Crane Cabs Contain Charts
Showing How To Calculate Safe Lifting Capacity 7-2361
- Can We Have Laborers Act As Signallers When Our
Bidirectional Earthmoving Equipment
Is Operated In Reverse 9-2391

- Can We Substitute Wire Sections For Cotter Pins To
Secure The Boom Sections On Our Crane 10-2406

ELECTRICAL

- Must The Locked High-Voltage Panel Boxes On Our
Machinery Be Equipped With Disconnect Switches 3-2300
- Is It Okay To Go Ahead With A Repair Job If Nearby
High-Voltage Lines Have Not Been Deenergized 5-2329
- Can We Be Cited If We Didn't Know The Ground-Fault
Circuit Interrupter We Were Using At A
Construction Site Was Defective 6-2339
- Do We Need Specialized Electrical Safety Wiring And
Equipment Because Of Accumulations Of
Combustible Dust 8-2369
- If Portable Lighting Is Already Installed At A Hazardous
Job Site Must I Check The Voltage 8-2370
- Are We Responsible If The Phone Company Installs An
Unapproved Electrical Socket 12-2439

EMPLOYEE DISCIPLINE

- Can We Discipline An Employee Who Drilled Holes In
His Hard Hat So The Air Can Circulate 6-2341
- Can We Throw The Book At An Employee Who Ignored
Rules Requiring Respirators While Working On A
Degreaser Unit 8-2368
- Can We Get Into Trouble For Firing An Unsatisfactory
Employee Who Filed A Safety Complaint 8-2374
- Can We Discipline Workers Who Walk Off The Job
Because Of Unsafe Conditions, If Our Union Contract
Provides For Binding Arbitration 8-2375
- Can We Discharge An Employee Who Was Injured
Several Times While Not Wearing Safety Equipment 9-2388
- Can We Fire An Employee For Insubordination Because
He's Afraid To Work At His Machine 9-2393
- Is It Sufficient That We Enforce Our Safety Rules By
Severely Reprimanding Employees 10-2396
- Can We Fire An Employee Who Deliberately
Removed A Machine Guard 12-2426

EMPLOYER RESPONSIBILITY

- Can We Be Held Responsible If An Employee Deliberately
Violates Our Safety Rules And Injures Himself 2-2273
- Can We Claim Isolated Unforeseeable Misconduct If
The Violation Has Existed For A While 3-2294
- Can We Be Cited If An Employee "Borrows" Defective
Equipment From Us Without Permission To Use It On
A Moonlighting Job 3-2296
- Are We Responsible If One Of Our Crews Is Cited
While Doing A Favor For Another Contractor 3-2301
- Can The Fact That We Violated OSHA Regulations Be
Used Against Us In A Lawsuit 9-2380
- Is An Employee Temp Agency Responsible For Conditions
At Workplaces To Which It Sends Employees 9-2384
- Who Decides Whether An Employee Is Physically
Able To Work—Management Or The Worker 10-2397

ENFORCEMENT ACTIVITIES

- Does The Decline In Workplace Injuries And Illnesses
Mean Less Chance Of An OSHA Inspection 2-2272
- Will A Cut In OSHA's Budget Mean Fewer Inspections 3-2288
- If Our Company Is Doing A Job For The State Or A City,
Are We Still Subject To OSHA Regulations 5-2333
- Do Many Business People Now Feel There's Less Need
To Worry About Safety And Health 7-2350

EXCAVATIONS & TRENCHES

- What Section Of The Trench Should Be Measured
To Determine Proper Sloping 1-2271
- Is It Sufficient To Use The Sense Of Smell To Test
For The Presence Of Gas In A Pipeline Excavation 7-2355
- Must We Slope Or Shore The Walls Of An
11-Foot-Deep Trench, Even Though The Lower
Eight Feet Is Hard Bedrock 7-2358
- Are Trenches Excavated From Frozen Soil Exempted
From Shoring And Sloping Regulations 9-2387
- Must We Provide Workers With Safety Instruction On
Trenching Hazards 10-2409
- Can We Slope The Sides Of An Excavation At A 45° Angle
When Impractical To Use A Trench Box Or To Shore 12-2438

FIRE SAFETY

- Are There Any Special Requirements When Installing
An Air Conditioner Near Flammable Liquids 2-2284

Can We Require Our Employees To Take A Fire Training Course Out-Of-Town, For Which They'll Be Paid Salary Plus Expenses	5-2326
Is It My Fault If A Couple Of My Workers Tried To Heat A Drum Of Highly Flammable Liquid With A Blow Torch	5-2330

FIRST AID—MEDICAL

How Nearby Must Eyewash Facilities Be To Employees Exposed To Corrosive Materials	1-2261
Can An Employee Examine Her Medical Records If They Contain Information About A Psychiatric Condition	3-2292
Do Insurance Companies Fail To Promptly And Fairly Settle Legitimate Workers Comp Claims	4-2309
Do I Need An Approved First Aid Kit If We're Only Eight Minutes Away From Our Infirmary	5-2324
Can We Transfer An Employee Medically Unable To Wear A Respirator To Another Job Even Though It Means A Cut In Pay	6-2345
Is A Pregnant Employee Who Quits Her Job Because She Feared That Machinery Fumes Would Be Harmful Entitled To Unemployment Compensation Benefits	7-2364

FORKLIFTS—RAIL CARS

Is It Unfair To Automatically Blame The Forklift Operator If A Pedestrian Is Injured By The Truck	1-2269
Can We Use Wooden Wheel Chocks To Keep Railroad Cars In Place Rather Than The Hand Brakes	5-2327
Can We Rely On Our Mechanic Who Says That Our Forklift Is Safe	10-2400

GUARDING—CONSTRUCTION

What Can I Do If The General Contractor Refuses To Install Protective Railings	10-2402
Can We Post A Foreman To Make Sure Workers Do Not Stray Too Close To The Roof Edge	11-2417
Must Canopies Extend Across The Entire Entrance Of A Building Under Construction	12-2432

GUARDING—MACHINERY

What If I Cannot Find A Supplier Who Can Manufacture A Satisfactory Machine Guard	1-2264
If Employees Would Use Commonsense, Would There Be Any Need For Machine Guards	1-2265
Must Our Presses Have Guards Or Barriers To Protect Passersby	4-2316
Who Is Responsible If An Employee Is Injured By An Unguarded Machine—The Machine Manufacturer Or The Employer	5-2331
Can Our Power Press Lack Guards, Even Though The Job Operation Doesn't Require It	6-2347
Can A Worker Refuse To Run A Press Lacking A Guard, Even Though Installation Is Pending And He's Instructed How To Operate The Press Safely	7-2359
Are There Any Alternatives To Providing Guards At The Nip Points And Points Of Operation Of Our Metal Cutting Shear	8-2377
Is It A Guarding Violation If Employees Could Slide Their Fingers Between The Bars	9-2385
Must We Comply With Machine Guarding Regulations While Maintenance Work Is Being Done	11-2411
Can We Continue Using Our Shearing Machine Even Though A Holddown Guard Broke Off	11-2421
Are We Excused From Guarding If The Usual Type Of Guard Is Impractical	12-2435
Must We Install A Guard On Our Cylindrical Grinder—Even Though Regulations Don't Require It	12-2436

HEALTH HAZARDS

How Should We Handle Work Clothing That's Contaminated By Lead	2-2279
Must Workers Exposed To Inorganic Arsenic Be Paid For Time Spent On Follow-Up Annual Physical Exams After Regular Work Hours	2-2280
Do We Have To Let The Union's Industrial Hygienist Inspect The Plant For Possible Health Hazards	2-2281
Must We Take Special Precautions With Employees Who Are Allergic To Certain Chemicals	3-2289
Can Employees Lose Overtime If Transferred Due To High Blood Lead Levels	4-2306
Must We Require Employees To Wear Gloves If The Materials They Handle Cause A Minor Skin Rash	4-2308
Can We Be Cited For Excessive Silica Dust While We Were Repairing Our Central Vacuum System	5-2321
Can Employees Eat Their Lunch In Areas With Toxic Levels Far Below OSHA Standard Maximums	5-2328
Is It Our Fault If A Chemical Spill Resulted In A Reading Of Excessive Airborne Contaminants During An Inspection	6-2343
Is A One-Day Sampling Enough To Justify A Citation For Excessive Airborne Asbestos	6-2344

Are There Recent Findings Relating To Stress And Other Health Problems Among Office Workers	7-2352
Is It Our Fault If We Honestly Believed That The Materials Our Workers Were Handling Were Not Asbestos	7-2354
Can We Rely On Our Supplier's Certification That Its Talc Contains No Asbestos	11-2418
Can We Be Charged With Excessive Levels Of Wood Dust, Under Mineral Dusts Regulations	11-2420
Are Workers Who Operate Video Display Terminals Subject To Development Of Cataracts	12-2434

HOUSEKEEPING—SANITATION—STORAGE

Is Improper Storage Of Abrasive Grinding Wheels An OSHA Violation	1-2266
Can We Be Cited For Having Obstructed Aisles Even Though The Police Warned Us Not To Move Anything	7-2360
Can We Crack Down On Unsanitary Conditions Resulting From Employees' Eating At Their Work Stations	8-2376
Is It A Violation If The Floor Is Continuously Covered With A Thin Film Of Water	9-2386

INSPECTIONS

Do Inspectors Have The Right To Attach Personal Sampling Devices To Workers	5-2317
Must Employees Be Paid For Time Spent With NIOSH Investigators Conducting A Health Hazard Survey At Our Plant	5-2320
Can The Government Be Sued If An OSHA Inspector Fails To Spot A Hazardous Condition	7-2357
If An Inspector Shows Up To See If Certain Violations Were Corrected, Can He Cite Us For Other Violations	8-2371
Does OSHA Have The Right To Attach Personal Monitoring Devices To Workers To Check Their Exposure To Airborne Contaminants	8-2379
When Must The Inspector Check The Accuracy Of His Air Pressure Gauge	9-2390
Must We Permit The Inspector To Interview Employees On The Production Line In Private	11-2423
Can The Inspector Cite Us For A Violation Spotted Before The Inspection Began	12-2430
Can We Tell Our Employees That They're Not Obligated To Talk To The Safety Inspector	12-2437

LOCKOUT & TAGGING

Instead Of Having The Main Power Disconnect Switch Locked In The OFF Position, Is It Sufficient To Unplug The Press	2-2275
Can The Overcurrent Devices And Master Disconnect Switches For Our Conveyors Be Located 12 Feet Above Floor Level	6-2338
When Our Maintenance Crew Does Repair Work Inside A Furnace, Can We Tag The Power Control	10-2403

NOISE

Which Is More Likely To Cause Hearing Loss: Steady Exposure To Excessive Workplace Noise, Or Intermittent Exposure	9-2382
Just How Effective Are Hearing Protectors, Such As Ear Muffs And Ear Plugs	10-2408

PREVENTIVE SAFETY

Can We Deny Promotion To A Worker Who Is Too Nervous To Handle The Job	2-2274
Is There Any Way For Us To Identify Potentially Accident-Prone Job Applicants	4-2310

RECORDKEEPING REPORTS & POSTING

Are There Any Reports On Injuries To Workers Servicing Equipment	3-2293
What Parts Of The Body Are Most Commonly Injured In Industrial Accidents	4-2307
How Come There Are So Few Complaints Now By Employers About The Paperwork Involved In OSHA Recordkeeping	6-2349
Are We Justified In Submitting Copies Of Injury And Illness Reports With The Employees' Names Deleted	7-2356
What Are Considered The Most Serious Occupational Diseases And Injuries	10-2399

SAFETY EQUIPMENT—PERSONAL

If Steel-Toed Shoes Prove Inadequate, Must They Still Be Worn	1-2259
Must We Make Sure Employees Use Protective Equipment Correctly	1-2260
Should We Let Employees Remove The Side Shields Of Their Safety Glasses For Improved Vision	2-2282
Must Kitchen Workers In A Restaurant Wear Safety Shoes	2-2283
Is The Failure To Require Employees To Wear Proper Safety Equipment A Serious Violation	3-2299

Is A No-Beard Rule Really Necessary For Workers Wearing Respirators	4-2305
How Can We Determine Whether Steel-Toed Safety Shoes Provide Adequate Foot Protection For Our Workers	4-2312
Can The Union Object To Our New Rule Requiring Safety Glasses For Every Person In The Plant	6-2337
Must Supervisors Wear Hard Hats When Such Headgear Is Required For Other Workers	7-2353
Must Our Employees Who Handle 100-Pound Sheets Of Material Wear Safety Shoes	8-2373
Must We Require Welders' Helpers To Wear Proper Eye Protection	10-2405
Is It Enough To Provide Employees In Areas That Have Excessive Noise And Fumes With Ear Plugs And Respirators	11-2410
Are Safety Glasses That Have Side Shields Sufficient For Employees Working Around Open-Surface Tanks	11-2416
Can We Use Non-Approved Respirators Even Though They're Just As Effective	11-2424
SAFETY RULES, INSTRUCTIONS, & PROGRAMS	
Is It Necessary For Us To Hold Regularly Scheduled Safety Meetings	1-2258
Do We Have To Go Beyond An Employee's Normal Job Functions When Instructing Him On Safety Precautions	1-2270
Must We Give Safety Instructions To Our Highly Experienced Supervisors	4-2315
Are There More Effective Methods For Conveying Safety Rules Than Posters And Other Visuals	5-2325
How Effective Are Voluntary Labor-Management Self-Inspection Programs	7-2351
Are Our Weekly Safety Meetings Proof That Our Safety Rules Have Been Communicated To Employees	8-2367
Are We Bound By Advisory Safety Standards Of Our Own Industry Group	9-2389
Can We Rely On Senior Employees To Instruct New Workers On Safety Precautions	11-2412
Must We Follow Defense Department Safety Recommendations While Working On A Government Contract	11-2422
Can We Require Female Workers To Pin Up Or Cover Their Hair—But Do Nothing About Male Workers	12-2425
Can We Bar Children From Plant Areas	12-2429
Are We Responsible For Out-Dated Written Safety Instructions	12-2431
SCAFFOLDS—LADDERS—GUARDRAILS	
Do We Need Guardrails If Employees Periodically Climb Atop The Flat Surface Of Certain Machines For Adjustments And Maintenance Work	4-2304
Do We Have To Guard A Section Of Our Scaffold If We Get Frequent Deliveries There	4-2311
If It Is Impossible For Us To Provide Guardrails Or Safety Harnesses, Are We Excused From Complying	11-2413
Do We Need Guardrails For Our Conveyers Because Employees Stand On Them For Maintenance Work	11-2419

Can Roofers Use A Scaffold Still Covered By Ice And Snow	12-2427
--	---------

SPRAY PAINTING

If We Regularly Perform Spray Finishing Work In A Corner Of Our Repair Shop, Must We Comply With OSHA Regulations	3-2297
Is Cleaning Our Paint Spray Booths Once A Month, As Part Of Our Regular Maintenance Schedule, Good Enough	3-2298
Can We Use A Gasoline-Powered Forklift In A Spray Booth After Spray-Painting Has Been Completed	6-2340

WARRANTS

Can OSHA Obtain An Inspection Warrant Solely On The Basis Of A Newspaper Article	1-2263
Must We Pay Court Costs For Refusing To Honor An Inspection Warrant	9-2383
Can NIOSH Obtain Insurance Company Records Relating To The Deaths Of Workers	9-2392
Can An Inspector Threaten To Get A Warrant For A Wall-To-Wall Inspection	10-2398

UNIONS

Must We Comply With A Request From The Union For A Generic Name List Of All The Chemicals Used At Our Plant	4-2303
Are Unions Vulnerable To Lawsuits By Injured Workers	6-2334
Can The Union Ask For Premium Pay When Employees Perform Work Under Conditions That Violate Government Safety Regulations	8-2378
Why Don't Government Inspectors Get After The Workers—Or Their Unions—Who Violate Safety Regulations	10-2395

UNSAFE WORKING CONDITIONS

Can We Screen Off An Area, Where Welding Is Being Performed, With Plywood Partitions	1-2262
Can We Post An Employee At The Main Valve If The Dead-Man Control On Our Sandblasting Hose Becomes Inoperative	1-2267
Is It A Willful Violation If Our Interim Measures After A Safety Device Broke Down Are Deemed Inadequate	1-2268
Is An Employee Justified In Refusing To Work With A Machine If It Injured Him When It Double-Tripped	4-2313
How Are We Supposed To Know About Every Safety Hazard If Employees Don't Bring Them To Our Attention	5-2332
Can A Women Be Barred From Wearing A Skirt While Working Around Machinery, Despite Religious Objections	9-2381
What Can We Do About An Operator Who Refuses To Drive A Certain Truck, Which He Claims Is Unsafe	10-2407
Can We Be Cited For Sending Workers Back To Check Unsafe Conditions At A Jobsite	11-2415
Can A Worker, Injured Because Of A Defective Machine, Sue Our Safety Director	12-2433

SAFETY TALKS

A Complete Program of Five-Minute Talks to Promote Safety

24 MAJOR TOPICS, Indexed, including:

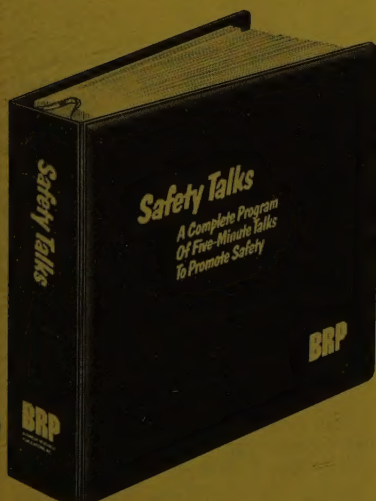
"Unavoidable" Accidents Falling Objects & Holes Conveyors, Pallets, Drums
Fire Prevention Machine Tools & Machine Guards Forklifts, Handtrucks

The Best safety training your workforce can get is from your first-line supervisor. Unfortunately, many supervisors need help in selecting the right topic and then in getting that safety message across.

BRP's 750 page SAFETY TALKS manual covers every conceivable safety subject and can make any supervisor's meetings more effective. Its **Safety Talk Tips** section offers practical advice on how to run safety meetings.

Improved workplace safety pays. BRP's SAFETY TALKS will help establish and prove management's commitment to a hazard-free workplace. You are free to reproduce the SAFETY TALKS and distribute them to your supervisors.

\$115.00





SAFETY INSPECTION MANUAL

Covers most recent changes in OSHA regulations and over 200 checklists keyed directly to OSHA standards.

Will help you develop a low-cost, continuous safety & health program. Permits easy reproduction of checklists for internal distribution to department heads, etc. Ideal for supervisors to keep their departments safe and check quickly on standards covered by OSHA. **\$95.00**



PROTECT YOUR COMPANY FROM A TO Z

Prepared especially for the small to medium-sized company which cannot afford to staff a full-time Security Department.

Over 200 pages of policies, procedures, controls, checklists, forms, for an effective Security Program. Use it in planning and implementing a new security system. Use it in evaluating your current system. Use it as a training tool for employees and supervisors. Use it to help prevent future losses. **\$95.00**



PRODUCT LIABILITY PORTFOLIO

A Complete Product-Safety Program in One Reliable Source including 23 guidelines — 80 pages of forms, practices, policies, procedures, controls — for companies that make, market, service, sell industrial or consumer products.

Partially contributed by hundreds of forward-thinking companies, it includes some of the most carefully thought out Product Safety Programs available. **\$85.00**



RIGHTS, RISKS & RESPONSIBILITIES OF TODAY'S EXECUTIVE

Over 300 actual court case-histories which pinpoint potential hazards for the executive and provide guidance on every major area of executive concern — Employment Contracts — Compensation — Fringe Benefits — Job Performance — Loyalty — Personal Liability.

Could help avoid costly litigation.

\$95.00

BUSINESS RESEARCH PUBLICATIONS INC.
87 Terminal Drive, Plainview, New York 11803

Please send me the Manuals checked below with the understanding that I may examine them for 10 days and if not satisfied, may return them for a full cash refund.

- | | |
|---|-------|
| <input type="checkbox"/> SAFETY TALKS | \$115 |
| <input type="checkbox"/> SAFETY INSPECTION MANUAL | 95 |
| <input type="checkbox"/> PROTECT YOUR COMPANY FROM A TO Z | 95 |
| <input type="checkbox"/> PRODUCT LIABILITY PORTFOLIO | 85 |
| <input type="checkbox"/> RIGHTS, RISKS & RESPONSIBILITIES OF
TODAY'S EXECUTIVE | 95 |

I wish to pay as follows:

- ☐ Check enclosed. ☐ Bill Company. Purchase order enclosed.
☐ Charge to my credit card: ☐ VISA ☐ MasterCard
☐ American Express

Acc't #

Exp. Date

Signature

Name

Organization

Title

Address

City

State

Zip

Enclosed find \$_____ for the material checked above. (All postage and handling is included in the price.) On NY State orders add tax.